

Town Board Minutes

**Meeting
No. 10**

Regular Meeting

April 24, 1995

MEETINGS TO DATE 10
NO. OF REGULARS 8
NO. OF SPECIALS 2

LANCASTER, NEW YORK
APRIL 24, 1995

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 24th day of April 1995 at 8:00 P.M. and there were

PRESENT: ROBERT H. GIZA, COUNCIL MEMBER
DONALD E. KWAK, COUNCIL MEMBER
PATRICK C. POKORSKI, COUNCIL MEMBER
THOMAS H. VAN NORTWICK, COUNCIL MEMBER
LUCIAN J. GRECO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
JOSEPH F. REINA, TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
JOHANNA M. COLEMAN, RECEIVER OF TAXES

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER GIZA, TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board held on April 3, 1995 and the Joint Meeting of the Town Board and the Planning Board held April 5, 1995, and be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.MIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER POKORSKI, WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER VAN NORTWICK, TO WIT:

RESOLVED, that pursuant to Section 4-104 of the Election Law of the State of New York, this Town Board hereby designates the following Polling Places in each Election District of the Town of Lancaster for the conduct of Elections and Primaries during the year following the ensuing 1st day of May 1995.

ELECTION
DIST.

POLLING PLACE

- 1 Town Hall, 21 Central Ave., Lancaster, N.Y.
- 2 Court Street School, 91 Court St., Lancaster, N.Y.
- 3 Court Street School, 91 Court St., Lancaster, N.Y.
- 4 Como Park School, 1985 Como Park Blvd., Lancaster, N.Y.
- 5 Como Park School, 1985 Como Park Blvd., Lancaster, N.Y.
- 6 Aurora Middle School, 148 Aurora St., Lancaster, N.Y.
- 7 Lancaster Municipal Building, 5243 Broadway, Lancaster, N.Y.
- 8 St. Mary's High School, 142 Laverack Ave., Lancaster, N.Y.
- 9 Fire Hall, 16 W. Drullard Ave., Lancaster, N.Y.
- 10 Central Avenue School, 149 Central Ave., Lancaster, N.Y.
- 11 Fire Hall, 45 Meridian St., Depew, N.Y.
- 12 Fire Hall, 45 Meridian St., Depew, N.Y.
- 13 Depew Municipal Building, 85 Manitou St., Depew, N.Y.
- 14 North Side Fire Hall, 112 Brewster St., Depew, N.Y.
- 15 SS. Peter & Paul School, 52 Burlington Ave., Depew, N.Y.
- 16 Sacred Heart School, 5337 Genesee St., Bowmansville, N.Y.
- 17 Town Court Building, 525 Pavement Rd., Lancaster, N.Y.
- 18 Town Line Fire Hall, 6503 Broadway, Town Line, N.Y.
- 19 Historical Schoolhouse, 3703 Bowen Rd., Lancaster, N.Y.
- 20 Twin District Fire Hall, 4999 William St., Lancaster, N.Y.
- 21 North Side Fire Hall, 112 Brewster St., Depew, N.Y.
- 22 Substation, Bowmansville Fire Hall, 158 Seitz Ave., Lancaster, N.Y.
- 23 Aurora Middle School, 148 Aurora St., Lancaster, N.Y.
- 24 Lancaster Village Dept. of Public Works, 5200 Broadway, Lancaster, N.Y.
- 25 Lancaster Senior High School, 1 Forton Dr., Lancaster, N.Y.
- 26 SS. Peter & Paul School, 52 Burlington Ave., Depew, N.Y.
- 27 Lancaster Senior High School, 1 Forton Dr., Lancaster, N.Y.
- 28 Sacred Heart School, 5337 Genesee St., Bowmansville, N.Y.
- 29 Bus Garage, Lanc. School Dist., 295 Pleasant View Dr., Lancaster, N.Y.
- 30 Substation, Town Line Fire Hall, 63 Cemetery Rd., Lancaster, N.Y.
- 31 Town Line Fire Hall, 6503 Broadway, Town Line, N.Y.
- 32 Twin District Fire Hall, 4999 William St., Lancaster, N.Y.
- 33 Cayuga Heights School, 1780 Como Park Blvd., Lancaster, N.Y.
- 34 Cayuga Heights School, 1780 Como Park Blvd., Lancaster, N.Y.
- 35 Twin District Fire Hall, 4999 William St., Lancaster, N.Y.
- 36 Lancaster Senior Center, 100 Oxford Ave., Lancaster, N.Y.
- 37 Twin District Fire Hall, 4999 William St., Lancaster, N.Y.
- 38 Como Park Casino, Como Lake Park, Lancaster, N.Y.
- 39 Como Park Casino, Como Lake Park, Lancaster, N.Y.
- 40 Como Park Casino, Como Lake Park, Lancaster, N.Y.
- 41 Townview Apartments Community Center, 50 Grambo Dr., Lancaster, N.Y.
- 42 Townview Apartments Community Center, 50 Grambo Dr., Lancaster, N.Y.
- 43 Town Court Building, 525 Pavement Rd., Lancaster, N.
- 44 Hillview School, Transit Rd. & Pleasantview Dr., Lancaster, N.Y.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER POKORSKI, TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric and Gas Corporation has submitted a proposal to energize street lamps within Belmont Creek Subdivision within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the said Lighting Committee, after investigation, review and consideration has recommended the said installation,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and is hereby authorized to energize the following street lamps within Belmont Creek Subdivision pursuant to SC #1:

7 - 3300 lumen 50 watt high pressure sodium post
top luminaires @ \$55.17 ea. = \$386.19

TOTAL ANNUAL INCREASE = \$386.19

and,

BE IT FURTHER

RESOLVED, that this proposal is made contingent upon the terms and conditions covered in New York State Electric and Gas Corporation's Street Lighting filed Tariff Agreement with the Town of Lancaster, District No. 1.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.STREET.LIGHTING (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
VAN NORTWICK, TO WIT:

WHEREAS, the sponsor of this resolution is desirous of abolishing
the position of Personnel Clerk in the Office of the Supervisor of the Town of
Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the position of Personnel Clerk in the Office of the
Supervisor of the Town of Lancaster be and is hereby abolished effective
April 24, 1995.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI, TO WIT:

*amended
7/10/95*

WHEREAS, the Supervisor of the Town of Lancaster has previously filed with the Erie County Department of Personnel Form PO-17 "New Positions Duties Statement" for the purpose of obtaining the appropriate service title for the anticipated position of Refuse Control Officer, full time, in the Office of the Supervisor of the Town of Lancaster, and

WHEREAS, the Erie County Department of Personnel has indicated that the appropriate title for this position is Refuse Control Officer, full time,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby creates the position of Refuse Control Officer, full time, in the Office of the Supervisor of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and execute Section 8 of Form PO-17 (New Position Duties Statement) indicating that the position of Refuse Control Officer, full time, in the Office of the Supervisor of the Town of Lancaster has been created, and

BE IT FURTHER

RESOLVED, that GABRIELLA ORLOWSKI, 5219 William Street, Lancaster, New York 14086 be and is hereby appointed, effective April 24, 1995, to the full time position of Refuse Control Officer in the Office of the Supervisor of the Town of Lancaster, at a salary of \$24,500.00 for the year 1995, and

BE IT FURTHER

RESOLVED, that said position is a Civil Service position and will require an exam, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER POKORSKI, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
VAN NORTWICK, TO WIT:

WHEREAS, the Town has entered into a contract with Schichtel's Nursery to purchase trees as part of the Town's current tree planting program, and

WHEREAS, Schichtel's is unable to meet the Town's specifications for 12 trees known as Donald Wyman Flowering Crabapple and for 112 trees known as Bradford Callery Pear, and

WHEREAS, Schichtel's Nursery wishes to substitute these trees with the Red Baron Flowering Crabapple and the Aristocrat Callery Pear, and

WHEREAS, the Town's Forester has advised that these cultivars are the equal, and in some respects, are superior to the Donald Wyman Flowering Crabapple and the Bradford Callery Pear and recommends to accept the substitution;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. The substitution of 12 Red Baron Flowering Crabapple for the Donald Wyman Flowering Crabapple is hereby authorized; and
2. The substitution of 112 Aristocrat Callery Pear for the Bradford Callery Pear is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK, TO WIT:

WHEREAS, George Stephen, 130 Maple Drive, Bowmansville, New York 14026, has applied to the Town Board of the Town of Lancaster for a permit to construct a public improvement upon real property in the Town of Lancaster within Stony Brook South Subdivision, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 398 of George Stephen, 130 Maple Drive, Bowmansville, New York, for the installation of:

P.I.P. No. 398 - Install light standards and conduits for street
(Street Lights) lighting as per Town of Lancaster and NYSEG
specs.

be and is hereby approved and the installation of the improvement requested be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.P.I.P. (P9)

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK, TO WIT:

WHEREAS, the Town of Lancaster and the County of Erie have previously entered into a written agreement effective January 1, 1995 and ending December 31, 1995, covering the Senior Citizens-Nutrition Lunch Program, and

WHEREAS, the County has notified the Town that additional monies are available to the Town, and

WHEREAS, the County has submitted a Contract Amendment-Nutrition, which increases the monies available from \$1,793.00 to \$3,586.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute the Contract Amendment-Nutrition, on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

WHEREAS, the Town of Lancaster and the Manufacturers & Traders Trust Company have previously entered into an agreement dated July 19, 1993, wherein and whereby Manufacturers & Traders Trust Company pledge assets to secure the deposits it holds in official accounts in the name of the Supervisor, the Town Clerk and the Town Tax Receiver, and

WHEREAS, the Town Tax Receiver has suggested that the name of each Town official and the account number of each account held on behalf of each Town official be specifically identified, and

WHEREAS, the Town Board is in agreement with this suggestion, and

WHEREAS, the Town Attorney has prepared an addendum to incorporate the names of each Town official and the account number of each account held on behalf of each Town official;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute the addendum which sets forth the name of each Town official and the account number of each account held by the Manufacturers & Traders Trust Company on behalf of each Town official.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.Cust.Agr.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
GIZA, TO WIT:

WHEREAS, the Town Board deems it in the public interest to conduct a study to determine if a traffic signal is warranted on Central Avenue, at its intersection with Impala Parkway and Countryview Way, Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster authorizes the Erie County Highway Department to conduct a study relative to the need for a traffic signal on Central Avenue where it intersects with Countryview Way and Impala Parkway; and

2. If the Erie County Highway Department determines that a traffic signal is warranted, then it shall be the responsibility of the Town of Lancaster to purchase, install and maintain such traffic light.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.Signal.Cent.Ave.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER, VAN NORTWICK WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

WHEREAS, the Town of Lancaster's Workers' Compensation Insurance
Contract with the State Insurance Fund expires on June 30, 1995, and

WHEREAS, the Supervisor has investigated the possibility for the
Town to institute a Self-Insured Workers' Compensation Program, and

WHEREAS, Article 4 of the Workers' Compensation Law, permits the
Town to adopt a Self-Insured Workers' Compensation Program, and

WHEREAS, the Supervisor and Town Board Members have determined that
the Town would realize a substantial annual reduction in costs if it adopted a
Self-Insured Workers' Compensation Program, compared to the premiums now being
paid to the State Insurance Fund, and

WHEREAS, the Supervisor and the Town Board have determined that it
is in the public's best interest to adopt a Self-Insured Workers' Compensation
Program;

NOW, THEREFORE, BE IT

RESOLVED, that effective July 1, 1995, the Town shall commence its
Self-Insured Workers' Compensation Program.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.Wkrs.Comp.95

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI , TO WIT:

WHEREAS, the Town Board has elected to adopt a Self-Insured Workers' Compensation Program, and

WHEREAS, GOW Management Services, Inc., 344 Delaware Avenue, Buffalo, New York, has submitted a written proposal to provide administrative services for the Town's Self-Insured Workers' Compensation Program for a period of three years at the following annual fees (for administering claims not to exceed 31 per year):

1st year	Annual Fee	\$5,800.00
2nd year	Annual Fee	\$6,090.00
3rd year	Annual Fee	\$6,395.00
1st year	Loss Control Fee	\$1,200.00
2nd year	Loss Control Fee	\$1,250.00
3rd year	Loss Control Fee	\$1,300.00

and

WHEREAS, the Town Board has determined that it would be in the public's best interest to retain the services of GOW Management Services, Inc., upon the terms and conditions contained in the written proposal;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. The Supervisor is hereby authorized to execute, on behalf of the Town, a contract entitled "Self-Insured Workers' Compensation Claim Administration Program" submitted by GOW Management Services, Inc.; and

2. Said Contract shall be for a period of three years commencing July 1, 1995, but shall be terminable by the Town, and at time, upon sixty (60) days' notice; and

3. Once fully executed, a duplicate original of the contract shall be filed in the Town Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.Ret.GOW.Mgmt.Ins.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GIZA , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

WHEREAS, Dana Warman, 4600 Main Street, Snyder, New York 14226, has requested the Town Board of the Town of Lancaster to accept work completed under a Street Lighting Public Improvement Permit within Walnut Creek Subdivision, Phase I, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has recommended the approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Street Lighting Public Improvement within Walnut Creek Subdivision, Phase I, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 385 - Street Lights - Walnut Creek Subdivision, Phase I

conditioned, however, upon the following:

1. Receipt by the Town Clerk, within 45 days, of a bill of sale to improvements for the property conveyed to the Town of Lancaster.
2. Receipt by the Town Clerk, within 45 days, of a maintenance bond for the improvement accepted herein in the principal amount of 25% of the value of the improvements accepted. The bond shall run for a term of two years commencing with the date of adoption of this resolution,

and

BE IT FURTHER

RESOLVED, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein, and

BE IT FURTHER

RESOLVED, that should the conditions enumerated herein not be met within the stated 45 day period, the Building Inspector and the Town Clerk are directed to suspend the acceptance of any building permit applications for construction for construction within this subdivision, or subdivision phase, as the case may be.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER GIZA , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

WHEREAS, Dana Warman, 477 Virginia Street, Buffalo, New York 14202, has requested the Town Board of the Town of Lancaster to accept work completed under a Street Lighting Public Improvement Permit within Bowen Road Square Subdivision, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has recommended the approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Street Lighting Public Improvement within Bowen Road Square Subdivision, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 394 - Street Lights - Bowen Road Square Subdivision

conditioned, however, upon the following:

1. Receipt by the Town Clerk, within 45 days, of a bill of sale to improvements for the property conveyed to the Town of Lancaster.
2. Receipt by the Town Clerk, within 45 days, of a maintenance bond for the improvement accepted herein in the principal amount of 25% of the value of the improvements accepted. The bond shall run for a term of two years commencing with the date of adoption of this resolution,

and

BE IT FURTHER

RESOLVED, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein, and

BE IT FURTHER

RESOLVED, that should the conditions enumerated herein not be met within the stated 45 day period, the Building Inspector and the Town Clerk are directed to suspend the acceptance of any building permit applications for construction for construction within this subdivision, or subdivision phase, as the case may be.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER VAN NORTWICK , TO WIT:

WHEREAS, EDUKIDS EDUCATION CENTER has submitted a Site Plan dated
March 22, 1995, for the construction of a Child Education Center on Como Park
Boulevard, west of Penora Street, Lancaster, New York, and

WHEREAS, the Planning Board has reviewed the plan, and by memo dated
April 12, 1995, has recommended approval;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
approves the site plan for the construction of a Child Education Center, as
prepared by Carmina Silvestri, Architects, dated March 22, 1995.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER POKORSKI, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER VAN NORTWICK, TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED APRIL 24, 1995, AUTHORIZING THE ACQUISITION
OF VARIOUS EQUIPMENT FOR USE BY THE TOWN HIGHWAY
DEPARTMENT, STATING THE ESTIMATED TOTAL COST
THEREOF IS \$375,000, APPROPRIATING SAID AMOUNT
THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$375,000
SERIAL BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Lancaster, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
acquire various equipment for use by the Town Highway Department,
including (a) two plow trucks, with tailgate sanders, radios and
related equipment, at the estimated maximum cost of \$143,500
each, and (b) a blacktop roller, with radio and related
equipment, at the estimated maximum cost of \$88,000. The
estimated total cost of said class of objects or purposes,
including preliminary costs and costs incidental thereto and to
the financing thereof, is \$375,000 and said amount is hereby
appropriated therefor. The plan of financing includes the
issuance of \$375,000 serial bonds of the Town to finance said
appropriation, and the levy and collection of taxes on all the

taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$375,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said class of objects or purposes for which said \$375,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in

anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER POKORSKI, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER VAN NORTWICK, TO WIT:

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Lancaster
shall, within ten (10) days after the adoption of this
resolution, cause to be published, in full, in the "LANCASTER
BEE," a newspaper published in Buffalo, New York, having a
general circulation within said Town and hereby designated the
official newspaper of the Town for such publication, and posted
on sign board of the Town maintained pursuant to the Town Law, a
Notice in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on April 24, 1995, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted April 24, 1995, authorizing the acquisition of various equipment for use by the Town Highway Department, stating the estimated total cost thereof is \$375,000, appropriating said amount therefor, and authorizing the issuance of \$375,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution, concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to acquire various equipment for use by the Town Highway Department, including (a) two plow trucks, with tailgate sanders, radios and related equipment, at the estimated maximum cost of \$143,500 each, and (b) a blacktop roller, with radio and related equipment, at the estimated maximum cost of \$88,000; STATING the estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$375,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$375,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$375,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness to be fifteen (15) years; the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$375,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general

obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 24, 1995

Robert P. Thill
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

PREFILED RESOLUTION NO. 18 - MEETING OF 4/24/95

Kwak/_____ Approve Site Plan Apple Rubber Products Inc

At the request of Council Member Kwak, this resolution was withdrawn
for further study.

File: R.WITHDRAWN

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK , TO WIT:

WHEREAS, Section 467 of the Real Property Tax Law of the State of New York has been amended to authorize exemption from real property taxation on a graduated scale for total income from Fifteen Thousand Dollars (\$15,000.) to a total not exceeding Twenty Thousand Seven Hundred Dollars (\$20,700.), and

WHEREAS, the increase in income eligibility for Town Taxes will place no particular burden on the taxpaying public, but will materially improve the economic ability of our senior citizens in coping with the ravages of inflation while living on a fixed retirement income in their declining years, and

WHEREAS, a public hearing was held on the enactment of said exemption by resolution, was held on the 3rd day of April, 1995, at 8:10 o'clock P.M. Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that the Notice of the time and place of such hearing was duly published in the Lancaster Bee and posted on the Town Bulletin Board, and persons for and against said enactment of Senior Citizens Tax Exemption were given full opportunity to be heard, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to adopt and enact said exemption from real property taxation on said graduated scale;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby adopts and enacts the following Senior Citizens Tax Exemption:

SENIOR CITIZENS TAX EXEMPTION

- | 1. <u>ANNUAL INCOME</u> | <u>PERCENTAGE ASSESSED
VALUATION EXEMPT FROM
TAXATION</u> |
|---|---|
| Not More than \$15,000 | 50 per centum |
| More than \$15,000, but
Less than \$16,000 | 45 per centum |
| More than \$16,000 but
Less than \$17,000 | 40 per centum |
| More than \$17,000, but
Less than \$18,000 | 35 per centum |
| More than \$18,000, but
Less than \$18,900 | 30 per centum |
| More than \$18,900 but
Less than 19,800 | 25 per centum |
| More than \$19,800, but
Less than \$20,700 | 20 per centum |
2. The partial exemption being provided for herein shall be subject to the provisions of Section 467 of the Real Property Tax Law, and any other law or statute applicable thereto.
3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
VAN NORTWICK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 1671 to Claim No. 1977 Inclusive

Total amount hereby authorized to be paid: \$558,978.01

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI, TO WIT:

WHEREAS, Walter Konsek, has applied for disability benefits under the Town's Volunteer Fire Fighter Service Award Program, and

WHEREAS, Paul Pijanowski, Chairman of the Board of Trustees, had determined that Walter Konsek is entitled to receive disability benefits, under the terms of the Program;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approved Walter Konsek's application for disability benefits under the Town's Volunteer Fire Fighter Service Award Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.Vol.Frmn.Bnft.

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
POKORSKI, TO WIT:

WHEREAS, George MacPeek, has applied for disability benefits under the Town's Volunteer Fire Fighter Service Award Program, and

WHEREAS, Paul Pijanowski, Chairman of the Board of Trustees, had determined that George MacPeek is entitled to receive disability benefits, under the terms of the Program;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approved George MacPeek's application for disability benefits under the Town's Volunteer Fire Fighter Service Award Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.Vol.Frmn.Bnft.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL MEMBER
GIZA, TO WIT:

WHEREAS, Section 239-m, General Municipal Law, allows the Town and the County of Erie to enter into agreements whereby certain zoning actions within the Town would not have to be submitted to an Erie County planning agency for review and recommendation in recognition that certain zoning actions do not have intermunicipal or county-wide significance, and

WHEREAS, the Town Board agrees that, to exempt certain zoning actions from an Erie County planning agency's review and recommendation, would make the Town's review process more efficient and less costly, and

WHEREAS, Erie County has submitted a written agreement which sets forth certain zoning actions which would not have to be reviewed by the County, which actions are particularized in the agreement, but which may be generally described as applications for temporary structures and signs, setback variances, dimensional variances, illumination of signs, replacement of signs, home occupations and area variances;

NOW, THEREFORE, BE IT
RESOLVED, as follows:

1. The Supervisor is hereby authorized to execute the written agreement submitted by Erie County, which said agreement exempts certain zoning actions within the Town, from Erie County review.

2. Upon the full execution of said agreement, an original of the agreement shall be filed in the Town Clerk's office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.Agr.Cnty.Zng.Mtrs.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
GIZA, TO WIT;

WHEREAS, the Executive Director of the Youth Bureau, by letter dated April 18, 1995, has recommended the appointment of the following individual to the position of Tutor with the Youth Bureau of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Susan Russ, 50 Park Boulevard, Lancaster, New York, 14086, is hereby appointed to the position of Tutor with the Town of Lancaster Youth Bureau, effective April 25, 1995, at an hourly rate of \$7.00, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

File: R.TUTOR (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER KWAK, WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCIL
 MEMBER GIZA TO WIT:

RESOLVED, that the following Building Permit Applications be
 and are hereby approved and the issuance of these Building Permits be and are
 hereby authorized:

CODE:

(SW) = Sidewalks as required by Chapter 12-1B of the Code of the
 Town of Lancaster are waived for this permit.

No	Code	Applicant	Street Address	Structure
2423		James Kauffman	18 Old Orchard Com	Er. Deck
2424		Chris Syracuse	40 Signal Dr	Er. Fence
2425		Meadow Wood Apts	4845 Transit Rd	Er. Pvt. Garage
2426	SW	Rubino Bros Bldrs	264 Ransom Rd	Er. Sin. Dwlg
2427		Richard J Malo	4 Hemlock Ln	Er. Deck
2428		Robert H. Hensen	5265 William St	Er. Garage
2429		Paul Havens	725 Aurora St	Er. Fence
2430		Lorraine Norberg	847 Ransom Rd	Er. Shed
2431		Mark Gaczewski	11 Southpoint Dr	Er. Shed
2432		Colley's Pools & Spas	45 Lake Fst Pkwy E	Er. Pool
2433		Daniel Domino	37 Fox Hunt Rd	Er. Fence
2434	SW	Jim Sorge	57 Didion Rd	Er. Sin. Dwlg
2435		Restore General Contracting	4 Hawthorne Tr	Rem. Condos
2436		Donald J Wojtowicz	12 Stony Brook Dr	Er. Deck
2437		David R Massino	170 Pavement Rd	Er. Garage
2438		Erie Inter Cont	5428 Genesee St	Repair Fire Damage
2439		Karen Devine	5 Schilling Ct	Er. Deck
2440		Centennial Homes Inc	67 Newberry Ln	Er. Sin. Dwlg
2441		Santoro Figns Inc	3966 Walden Ave	Er. Sign
2442		James Lewandowski	38 Via Donato E	Er. Deck & Patio Encl
2443		Carol Romanowski	427 Schwartz Rd	Dem/Er. Pole Barn
2444		LPRC Unlimited Inc	338 Harris Hill Rd	Alter Office Bldg
2445		LPRC Unlimited Inc	338 Harris Hill Rd	Alter Office Bldg
2446		Majestic Pools Inc	75 Michael's Wlk	Er. Fence/Pool
2447		Majestic Pools Inc	7 Hidden Trail	Er. Shed/Pool/Fence
2448		Majestic Pools Inc	24 Partridge Wk	Er. Pool
2449		Majestic Pools	22 Windsor Ridge	Er. Fence/Pool
2450		Majestic Pools Inc	695 Pleasant View	Er. Fence/Pool

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2451	Majestic Pools Inc	34 Spruceland Terr	Er. Fence/Pool
2452	Paul Lippert	3 Pheasant Run Ln	Er. Deck
2453	Patrick Cleary	7 Trentwood Tr	Er. Fence/Deck
2454	Paul Justinger	35 Wainwright Ct	Er. Pool
2455	Decks Unlimited	30 Southpoint Dr	Er. Deck
2456	Decks Unlimited	23 Sagebrush Ln	Er. Deck
2457	Decks Unlimited	12 Quail Run Ln	Er. Deck
2458	Stratford Homes	11 Traceway	Er. Sin. Dwlg
2459	Carol Reeb	216 N Maple Dr	Er. Shed/Deck/Fence
2460	Brian Thurnherr	29 Ronald Dr	Er. Fence
2461	Burke Brothers	33 Hampton Ct	Er. Sin. Dwlg
2462	Majestic Pools, Inc	103 Nichter Rd	Er. Fence
2463	Decks Unlimited Const	3 Rue Madeleine Wa	Er. Deck
2464	Albert Maggiore	28 Chestnut Corner	Er. Deck
2465	Marrano Marc Equity	84 Old Post Rd	Er. Sin. Dwlg
2466	Custom Homes By Walter	810 37 Michael's Wlk	Er. Sin. Dwlg
2467	Carl Malczewski	5 Charlton Pl	Er. Roof Over Deck
2468	Bill Urbanski	21 Sagebrush Ln	Er. Pool
2469	Brenda/Steven VanDick	20 Rue Madeleine Wa	Er. Deck
2470	Ronald L Page	38 Signal Dr	Er. Pool
2471	Swimco Pools	5 Old Orchard Com	Er. Pool
2472	John Beck	259 Miller Ave	Er. Porch
2473	Albert V Randaccio Bldrs Inc	9 Dorchester Ct	Er. Sin. Dwlg
2474	ANG Remodeling Inc	96 Pleasant View	De. Shed
2475	All Craft	12 Broadmoor Ct	Er. Sin. Dwlg
2476 SW	All Craft	837 Erie St	Er. Sin. Dwlg
2477	Dennis Gerlock	26 Gale Dr	Er. Deck
2478	SiHone Building Co Inc	110 Michael's Wlk	Er. Sin. Dwlg
2479	SiHone Building Co Inc	7 Windsor Ridge	Er. Sin. Dwlg
2480	Doug Ackman	6 Montauk Ln	Er. Deck
2481	Mr/Mrs William Geary	152 Pavement Rd	Er. Pole Barn
2482	Hallmark Homes Inc	20 Chestnut Corner	Er. Sin. Dwlg
2483	Iona Associates Inc	31 Hill Valley Dr	Er. Sin. Dwlg
2484	Colley's Pools & Spas	17 Running Brk Dr	Er. Pool
2485	Danny Bellows	57 Old Post Rd	Er. Fence/Pool
2486	James J Trzaska	16 Stony Brook Dr	Er. Pool
2487	Lisa Grahner	55 Gale Dr	Er. Fence

and,

BE IT FURTHER

RESOLVED, that the Building Permit applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the provisions of Chapter 12-1B of the Code of the Town of Lancaster which requires sidewalks in front of every new home.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

Supervisor Greco requested a suspension of the necessary rule for immediate consideration of the following resolution -

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GRECO, WHO MOVED ITS ADOPTION,
SECONDED BY COUNCIL MEMBER POKORSKI
TO WIT:

WHEREAS, a vacancy exists in the position of Bingo Inspector Assistant due to the resignation of George Colvin on March 6, 1995, and

WHEREAS, the Supervisor of the Town of Lancaster has recommended the appointment of John Maccarone to fill the vacant position of Bingo Inspector Assistant of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that JOHN MACCARONE, 310 Wayside Drive, Depew, New York 14043, be and hereby is appointed to the position of Bingo Inspector Assistant of the Town of Lancaster, said appointment effective April 24, 1995, and

BE IT FURTHER

RESOLVED, that said appointment is for the period April 24, 1995 to December 31, 1995.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER POKORSKI	VOTED YES
COUNCIL MEMBER VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

April 24, 1995

COMMUNICATIONSDISPOSITION

150. Buffalo District Corps of Engineers to Councilman Pokorski - Notification of possibility of investigation of drainage and flooding problems along Creek.	R & F
151. Town Clerk to Supervisor - Monthly report for March 1995.	R & F
152. Receiver of Taxes to Town Board - Transmittal of second settlement payment to County of Finance for 1995 County/Town Tax Warrant.	R & F
153. LVAC to Supervisor - Request Town adopt service award program for volunteer ambulance workers.	PUBLIC SAFETY COMMITTEE
154. LVAC to Supervisor - Request assistance in government funding for new facility.	PUBLIC SAFETY COM BUILDING & GROUNDS COMMITTEE
155. Supervisor to Town Clerk - Notification that during vacation week of 4/12-23/95 Dep. Supervisor will be Thomas Van Nortwick.	R & F
156. County Div. of Highways to Town Attorney - Comments on Traffic Impact Study for Tops Markets, Inc. Distribution Center.	PLANNING COMMITTEE
157. Town Clerk to Planning Board Chairman - Transmittal of rezone petition of Gregory Zafirakis for premises situate 5408-5418 Genesee Street.	PLANNING COMMITTEE TOWN ATTORNEY
158. NYSDOT to Supervisor - Notification of study being initiated for intersection of Walden Ave. and Town Line Rd.	R & F
159. Assessor to Town Board - Transmittal of article re: NYS early retirement incentive with request for Town Board action.	R & F
160. Town Attorney to various Town Officials - Notification of date for Scoping Session for Tops Distribution Center.	R & F
161. Planning Board to Town Board - Transmittal of minutes of meeting of April 5, 1995.	R & F
162. Planning Board to Town Board - Approval of site plan for Apple Rubber Products.	PLANNING COMMITTEE
163. Planning Board to Town Board - Denial without prejudice of Special Use Permit for Hintermeir-Abati.	PLANNING COMMITTEE TOWN ATTORNEY
164. Planning Board to Town Board - Approval of rezone application for Buffalo Tournament Club with conditions.	PLANNING COMMITTEE TOWN ATTORNEY
165. Planning Board to Town Board - Approval of site plan for Edukids Education Center.	R & F
166. Evans Town Clerk to Various State Officials and Erie County Municipal Governments - Transmittal of resolution re: re-instatement of CHIPS funding in 1995-96 State Budget.	HIGHWAY COMMITTEE



COMMUNICATIONS

DISPOSITION

167. John/Theresa Ordong, 5203 Genesee Street to Town Board - Concerns re: proposed Tops Distribution Center.	<u>PLANNING COMMITTEE</u>
168. Town Clerk to Town Board - Notification of contracts expiring June 1995.	<u>TOWN ATTORNEY</u>
169. ECDEP to Town Attorney - Results of SEQR review re: Tops Food Distribution Facility.	<u>PLANNING COMMITTEE</u>
170. Town Engineer to Town Board - Recommend acceptance of street lighting improvement within Bowen Road Square Subdivision.	<u>R & F</u>
171. Town Engineer to Town Board - Recommend acceptance of street lighting improvement within Walnut Creek Subdivision Phase I.	<u>R & F</u>
172. Various Residents to Town Board - Petition opposing rezone petition of Gregory Zafirakis.	<u>PLANNING COMMITTEE</u>
173. Planning Board to Town Board - Minutes from meeting held 4/19/95.	<u>R & F</u>
174. Planning Board to Town Board - Recommend denial of Gregory Zafirakis rezone petition.	<u>PLANNING COMMITTEE</u>
175. ECWA to Town Attorney - Notification of no objection to Town as Lead Agency re: Tops Markets rezone petition.	<u>PLANNING COMMITTEE</u>
176. Youth Bureau Ex. Dir. to Supervisor - Recommend Susan Russ be appointed tutor effective 4/25/95.	<u>R & F</u>
177. Concord Town Clerk to Various State Officials and Erie County Municipal Governments - Transmittal of resolution re: re-instatement of CHIPS funding in 1995-96 State Budget.	<u>HIGHWAY COMMITTEE</u>

PERSONS ADDRESSING TOWN BOARD:

Perot, Kathy, 9 Stonybrook Drive, spoke to the Town Board on the following matter:

1. Expressed opposition to the Tops Distribution rezone request.

Guenther, James, 562 Pavement Road, spoke to the Town Board on the following matters:

1. Development fees charged for site plan review.
2. Who can speak and express concerns at the Tops Scoping Session meeting planned for Tuesday, April 25, 1995 at 7:00 P.M.

Zichittella, Robert, 53 Country Place, spoke to the Town Board on the following matter:

1. Preservation of a wetland area behind his home.

Juszczak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

1. Expressed concern about a berm and pine trees that obstruct a corner visibility area at the south west corner of Riemers Avenue and Central Avenue.

Baehre, David, 5722 Genesee Street, spoke to the Town Board on the following matter:

1. The opportunity for public participation in the Tops Market Scoping session planned for Tuesday, April 25, 1995 at 7:00 P.M.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matter:

1. Tax exemption granted to the American Sales Warehouse at Walden Avenue and Pavement Road.

Palmeri, Sam, 5815 Genesee Street, spoke to the Town Board on the following matter:

1. The opportunity for public participation in the Tops Market Scoping session planned for Tuesday, April 25, 1995 at 7:00 P.M.

Morningstar, Margaret, 5743 Genesee Street, spoke to the Town Board on the following matter:

1. Expressed opposition to the Tops Market rezone.

Moessinger, David, 1312 Ransom Road, spoke to the Town Board on the following matter:

1. Expressed opposition to the Tops Market rezone.

ADJOURNMENT:

ON MOTION OF SUPERVISOR GRECO, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 9:35 P.M. out of respect to the
victims of the Oklahoma City bombing disaster.

Signed *Robert P. Thill*
Robert P. Thill, Town Clerk